

REMARKS

This responds to the Office Action mailed on July 2, 2004.

Claims 1-28 are now pending in this application.

§102 Rejection of the Claims

Claims 1-28 were rejected under 35 USC § 102(e) as being anticipated by Raeth et al. (U.S. 2003/0065409A1) and Wyatt (EP 1158292). The rejection is respectfully traversed. A prima facie case of anticipation has not been established. The Office Action fails to identify where features of the claims are shown or described in the references.

Raeth et al. appears to try and predict likely subsequent sensor data, and also may process data samples differently depending on a variance in its prediction from the corresponding actual data samples, as stated in the abstract.

Wyatt includes a central station that analyzes sets of data received from detector stations, and then instructs detector stations to change their sampling and telemetry rates. The central station determines the presence, threat, extent, and progress of an aerosol cloud.

The Office Action states that: “Both of these references teach multiple sensors connected to a computer network for detection of chemical or biological threats.” This is the only language provided, and clearly does not address the elements of the claims. For instance, claim 1 describes probabilities of accuracy for the sensors, and a controller that determines “whether such agents are a threat with a greater probability than any individual sensor.” Applicant has reviewed the references in their entirety, and has not found corresponding teaching. It is respectfully requested that the rejection, and the finality thereof be withdrawn.

The rejection lacks specificity, reciting only the alleged general teaching of the reference, without direct application to any of the claims. 37 CFR § 1.104(a)(2) states that: “The reasons for any adverse action or any objection or requirement will be stated in an Office action and such information or references will be given as may be useful in aiding the applicant.”

MPEP § 707.07(d) further states: “Where a claim is refused for any reason relating to the merits thereof it should be ‘rejected’ and **the ground of rejection fully and clearly stated.**” (emphasis added.) Since no such fully and clearly stated grounds or reasons are

provided, Applicant request a new Non-Final Office Action, either allowing the claims, or providing reasons that may be useful in adding Applicant.

Claim 1 describes a plurality of sensors, and a controller that receives information from the sensors to determine whether agents are a threat with a greater probability than any individual sensor. The Office Action does not point out where these elements are found in the reference.

Claims 2-8 depend from claim 1 and are believed patentable for at least the same reasons.

Claims 9-13 describe a plurality of different types of sensors, and a controller that phases operation of the sensors based on information received from the sensors. The Office Action does not point out where these elements are found in the reference.

Claim 14 describes a plurality of different types of sensors dispersed within a confined space, and a controller that receives information from the sensors to determine whether an agent threat exists for the space. The Office Action does not point out where these elements are found in the reference.

Claim 15 describes a plurality of sensors for detecting agents in an area and a controller that controls the sensors and receives information from them to determine whether an agent threat exists based on probabilities of agents received from the sensors. The Office Action does not point out where these elements are found in the reference.

Claim 16 describes a plurality of different sensors placed in predetermined positions that detect agents in an area, and a controller that controls the sensors and receives information from them to determine whether an agent threat exists. The Office Action does not point out where these elements are found in the reference.

Claim 17 describes a plurality of different sensors for detecting agents in multiple areas with a probability of accuracy, a plurality of integrating controllers coupled to selected groups of the sensors to determine threats to respective areas with greater probability than any individual sensor, and an operating controller that performs data fusion to determine a final decision for an entire area under protection. The Office Action does not point out where these elements are found in the reference.

Claim 18 describes a plurality of sensors for detecting agents in an area and a controller the controls the sensors and receives information from the sensors to determine whether an agent threat exists. The controller also controls some of the sensors based on information received from at least one of the other sensors. The Office Action does not point out where these elements are found in the reference.

Claims 19-23 describe a method using a network of multiple different types of sensors to receive an indication of a probable threat from at least one of the sensors. The sequence of operations of other sensors in the network is modified based on the indication provided the at least one sensor. The Office Action does not point out where these elements are found in the reference.

Claim 24 describes a network for detecting agents that has a plurality of different sensors placed at predetermined positions within an area, a controller that controls the sensors and receives information from them to determine whether an agent threat exists, and a modeling system to determine the optimum location of the sensors. The Office Action does not point out where these elements are found in the reference.

Claim 25 describes a method of making a network for detecting agents. A plurality of different sensors for detecting agents are selected for an area and placed at predetermined positions within the area. The sensors are controlled, and information received from them is used to determine whether an agent threat exists. The system of sensors is modeled to determine the optimum location of sensors. The Office Action does not point out where these elements are found in the reference.

Claims 26-27 describe a method of forming a network for detecting agents by selecting a plurality of different types of sensors, determining the characteristics of the sensors and using them to model the sensors, and configuring the network using a genetic-algorithm-based system optimization. The Office Action does not point out where these elements are found in the reference.

Claim 28 describes a method of modeling sensors for a network that detects agents by creating multiple threat scenarios having different agent/clutter ratios. A sample of the threats are collected and prepared for sensing by the sensors. The threats are verified, and the

performance of the sensors is analyzed using the verified threats to create a component database.

The Office Action does not point out where these elements are found in the reference.

As several elements of each of these claims were not shown to be in the reference, the rejection should be withdrawn.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 373-6972 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

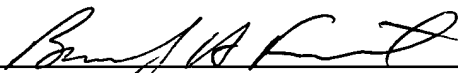
Respectfully submitted,

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Date 8-31-2004

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 31 day of August, 2004.

Gina M. Uphus

Name


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